

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

PHILLIP PICONE,	§	Civil Action No. 4:23-cv-1206
<i>Plaintiff,</i>	§	(Jury Trial)
	§	
v.	§	
	§	
OFFICER A. ANCIRA, <i>in his</i>	§	
<i>individual capacity,</i> and THE CITY	§	
OF HOUSTON, TEXAS	§	
<i>Defendants.</i>	§	

PLAINTIFF'S SUPPLEMENT TO HIS PRAYER FOR RELIEF
IN HIS CROSS-MOTION FOR SUMMARY JUDGMENT

TO THE HONORABLE ANDREW S. HANEN:

NOW COMES PLAINTIFF Phillip Picone, supplementing his cross-motion for summary judgment and his reply in support¹ to include the following prayer for relief:

I. Prayer for Relief

For the reasons stated in his cross-motion for summary judgment and his reply in support, Plaintiff respectfully requests that this Court **DENY** Defendant City of Houston's motion for summary judgment, **GRANT** his cross-motion for summary judgment, and enter judgment in his favor and against Defendant City of Houston, granting him to all relief to which he is entitled under law and equity. He requests that the Court **DECLARE** Houston Code of Ordinances §§ 20-251 through 20-257 facially unconstitutional, and unconstitutional as applied to Mr. Picone. He further requests that the Court **PERMANENTLY ENJOIN**

¹ Docs. 27, 29.

the City from enforcing Houston Code of Ordinances §§ 20-251 through 20-257 entirely, and from enforcing those sections against him specifically. He also requests that the Court **GRANT** him monetary damages against the City for its violation of his civil rights under the U.S. Constitution, in an amount to be determined later either by hearing or motion. Should the Court require further evidence in order to make its decision or with respect to the determination of relief, including damages, Plaintiff requests an evidentiary hearing in order to provide any such evidence.

Respectfully submitted,

/s/ Alexander C. Johnson

Alexander C. Johnson

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CERTIFICATE OF SERVICE

I certify that on February 22, 2024, I have served a true and correct copy of the foregoing document that was delivered by the ECF in accordance with the Federal Rules of Civil Procedure to all ECF notice attorneys of record.

/s/ Alexander C. Johnson
Alexander C. Johnson